

# Complaints Policy and Procedure (2016-2017)

## Introduction

1. At Chapelton Academy our aim is to provide a world-class educational experience which will help youngsters aspire to the highest possible level and achieve entry to the world's leading universities.
2. Parents, carers and students can through this procedure and through the pastoral structure, raise concerns make complaints easily and without anxiety and in the knowledge that concerns and complaints will be treated seriously, impartially and (except in circumstances where disclosure is legally required), confidentially. This procedure is written with regard to regulation 7 of The Education (Independent School Standards) (England) Regulations 2003.
3. This procedure describes the action to be followed if any interested party wishes to make a formal complaint about any aspect of Chapelton Academy (including for example matters relating to its site), but with the exception of
  - a. Child Protection and/or Safeguarding (see *Child Protection and Safeguarding Policy*)
  - b. Admissions (see *Admissions Policy*)
  - c. Special Educational Needs and Disabilities (see *Special Educational Needs and Disabilities Policy*)
  - d. Decisions taken under the Academy's student exclusions procedure (see *Exclusions and Appeals Policy*)
  - e. Any other complaints made about the Academy's staff by the Academy's staff (see *Whistleblowing (Staff) Policy, Discipline, Conduct and Grievance (Staff) Policy* and the *Chapelton Academy Financial Handbook*)
4. Where interested parties wish to make complaints regarding matters described in paragraphs 3 (a-e) they should employ the procedures described in the relevant policies, in brackets above. For assistance on this matter, please contact the Academy's Interim Head Teacher (Ali Jaffer) – [ajaffer@chapeltonacademy.com](mailto:ajaffer@chapeltonacademy.com)

## Our Staged Procedure

5. Our staged procedure is as follows
  - a. STAGE ONE: Informal resolution with the relevant staff member

- b. STAGE TWO: Formal complaint to the Deputy Head Teacher for investigation
  - c. STAGE THREE: Formal resolution by appeal to the Interim Head Teacher
  - d. STAGE FOUR: Independent resolution through the Governing Body
  - e. STAGE FIVE: Referral to the Department for Education
6. If a complaint is made directly against the Interim Head Teacher, the procedure begins at Stage Four.
7. If a complaint is made directly against the Deputy Head Teacher, the procedure still begins at Stage Two, but the complaint is addressed to the Interim Head Teacher who will investigate. In such a case, Stage Three would be conducted jointly by the Interim Head Teacher and a member of the Governing Body.

#### **Stage One: Informal Resolution**

8. Interested parties should, wherever possible and appropriate, seek an early and informal resolution of all concerns. The Academy will take reasonable measures necessary to respond to and rectify any concerns before they become a Formal Complaint. Such measures will include some or all of the following:
- a. giving advice or reassurance;
  - b. explaining the context to an incident or decision;
  - c. gathering information from other staff or from students;
  - d. finding information from other sources;
  - e. referring the concern or potential complaint to a senior colleague;
  - f. reviewing or amending practice;
  - g. giving feedback to parents / carers;
  - h. apologising for mistakes or oversights.
9. A parent / carer with a concern or potential complaint should normally first contact their child's Form Tutor. Other staff (for example, a subject teacher) may need to be involved or consulted if this teacher cannot resolve the matter alone.
10. Form Tutors keep a written record of concerns raised with them and the date on which they were received.
11. Correspondence from parents / carers and details of concerns made in this way are kept on students' confidential files.
12. In the event that a complainant remains dissatisfied that a satisfactory resolution has not been reached, they are entitled to proceed with a formal written complaint in

accordance with the procedure below within twenty-five school days of the concern first being raised.

### **Stage Two: Formal Complaint to the Deputy Head Teacher**

13. If the concern or complaint has not been resolved informally, the complainant should put it in writing using the Complaints Document (Appendix 1), addressed to the Deputy Head Teacher. In their complaint, the parent, carer or student is required to suggest proportionate and reasonable action that will resolve their complaint.
14. Where necessary, the Deputy Head Teacher will meet with the parent, student or carer, within seven school days of receiving the complaint, to discuss the matter and if possible to reach a resolution at this stage.
15. Where a complaint is received during an Academy holiday, it will be deemed to have reached the Academy on the first full day following its arrival. It may be necessary to carry out further investigations. The Deputy Head Teacher will keep written records of all complaints, and of meetings held in relation to them.
16. Once the Deputy Head Teacher is satisfied that all the relevant facts have been established, a response to the complaint will be made and the complainant will be informed in writing, within seven days of the Formal Complaint being received by the Academy.
17. The nature of the response will depend on the nature of the complaint but it will always give a judgement whether and to what extent, if at all, the complaint is justified, with reasons. The response may include actions which the school intends to take or a decision. A parent, carer or student who is not satisfied should proceed to the next stage within twenty school days of the written response.

### **Stage Three: Formal Resolution by Appeal to the Interim Head Teacher**

18. If Stage Two has not resolved the complaint satisfactorily the parent, carer or student should write to the Interim Head Teacher after receipt of the Deputy Head Teacher's written response, stating why an appeal for resolution by the Interim Head Teacher is requested and, wherever possible, the action which the parent, carer or student wishes the Academy to take to resolve the concern.
19. The procedure to be followed by the Interim Head Teacher will involve the same steps, timescale, record keeping and form of response as set out for resolution in

Stage Two. A parent, carer or student carer who is not satisfied, after receiving the Interim Head Teacher's decision, should proceed to Stage Four.

20. A complainant may, for complaints of a particularly serious kind (and for any complaints relating to the actions or conduct of the Deputy Head Teacher), choose to address the Formal Complaint directly to the Interim Head Teacher (for the purposes of Stage 2) and in which case Stage 3, the Formal Resolution by Appeal to the Interim Head Teacher, will be dealt with jointly by the Interim Head Teacher and a Governor.

#### **Stage Four – Independent Resolution through the Governing Body**

21. If Stage 3 has not resolved a complaint satisfactorily, the parent / carer should write within twenty school days of the Interim Head Teacher's response to the Chair of Governors who will acknowledge the letter of complaint within five school days of receiving the complaint.
22. A panel of at least three people, including at least one person completely independent from the management and running of the school and its Governing Body will be convened to hear the complaint, normally within fifteen school days of the complaint being acknowledged by the Academy. In all such cases, all members of the panel will not have been involved in the complaint up to this point.
23. The Clerk to the Academy Trust, unless he/she is the object of the complaint, will be present to act as clerk to the panel. Members of the panel will have access to all relevant documentation and will be able to ask the Academy and the parent, carer or student for any other relevant information or documentation.
24. It is intended that the process should not be presented in a manner which is excessively legalistic, in order to allow parents, carers and students to feel as comfortable as possible. Parents are permitted to bring another person to accompany them to the hearing. Where a student has made the complaint, they are encouraged to bring a family member or a close friend above the age of 18 with them, and may also be accompanied by one other person (e.g. relative, friend or a relevant specialist).
25. Nonetheless, during the course of the hearing the complainant will be invited to present their case (and to present supporting evidence which may include the testimony of witnesses). The panel will be entitled to ask questions.

26. If possible the panel will resolve the parent's or carer's complaint without further investigation. Where further investigation is needed, the panel will decide how to carry out the investigation. After due consideration of all relevant facts, the panel will give written findings in response to the complaint: the findings will depend on the nature of the complaint but the panel will always give a judgement whether and to what extent, if at all, the complaint is justified, and the panel's reasons.
27. The findings may include recommendations or actions which the panel requires the Academy to take. The findings of the panel will be final. A copy of the findings will be sent to the person making the complaint, the Interim Head Teacher and Governors (at the school address) and any person who is the object of the complaint, by electronic mail or by post, at the discretion of the panel. This should be done within ten working days.
28. The panel will ensure that the hearing is independent and impartial and that it is seen to be so – the aim of the hearing will be to resolve the complaint and achieve reconciliation.
29. The Governors sitting on the panel will be fully aware of the complaints procedure.

#### **Stage Five - Referral to the Department of Education**

30. If Stage 4 has not resolved a complaint satisfactorily, the parent/carer or student should write after receipt of the report of the Governors' findings on the complaint to the Department for Education requesting their advice.

#### **Confidentiality**

31. Correspondence, statements and records relating to individual complaints are kept confidential except where the Secretary of State or a body conducting a formal inspection, requests due access to them.

#### **Complaints Register**

32. The Academy will maintain a register of all formal complaints.

#### **Publication of Procedures**

33. The Complaints Procedure shall be publicised on the Academy's website as part of the Publication Scheme. Printed copies are available on request.

## **Appendix 1: Formal Complaint Record**

Please complete all sections of this record. The record should be sent to the Deputy Head Teacher, Chapelton Academy. In the academic year 2016-2017, this is Beth Thornton ([bthornton@chapeltonacademy.com](mailto:bthornton@chapeltonacademy.com)). Please feel free to continue on a separate page.

**Name of person making the complaint (if you are a parent or carer of a student at the Academy, please give the student's name in brackets)**

**Contact Details (please provide your phone number, address and email address)**

**Please give full details of your formal complaint, including any actions you have taken so far**

**Please suggest the proportionate and reasonable action that the Academy can take to resolve your formal complaint**

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

## Appendix 2: Complaints Procedure – Flowchart

